

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2001-209-C - ORDER NO. 2001-732

AUGUST 14, 2001

IN RE: Application of BellSouth Telecommunications, Inc. to Provide In-Region InterLATA Services Pursuant to Section 271 of the Telecommunications Act of 1996.) ORDER GRANTING) REQUEST FOR) CLARIFICATION AND) RULING ON REQUEST) FOR ELECTRONIC) FILING OF TESTIMONY
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This matter comes before the Public Service Commission of South Carolina (the Commission) by way of AT&T Communications of the Southern States, Inc.'s (AT&T) Motion for Clarification of the Commission's Order Number 2001-947. Additionally, BellSouth Telecommunications, Inc. (BellSouth) requests that the Commission direct all parties to file a courtesy electronic copy of any testimony filed on August 13, 2001.

AT&T'S MOTION FOR CLARIFICATION

In its Motion, AT&T seeks clarification of the Commission's Order issued on July 10, 2001. More specifically, AT&T seeks clarification of the scope of the hearings scheduled for July 23, 2001, and August 27, 2001. AT&T's understanding of the scope of the hearing beginning July 23, 2001, is BellSouth will present its case and the Commission Staff and the Intervenor's rebuttal testimony to BellSouth's case regarding checklist compliance, performance measures and penalty plans, and data integrity will be presented. Additionally, it is AT&T's understanding that Intervenor will be allowed to cross-examine Mr. Varner on his testimony regarding third party testing. Regarding the hearing beginning on August 27, 2001, it is AT&T's understanding that the April and

May performance data filed by BellSouth on June 18, 2001, and July 18, 2001, respectively will be presented. It is also AT&T's understanding that the differences between the Georgia and Florida third party testing and performance measures will also be addressed during the August 27, 2001, hearing.

Finally, AT&T requests that the Commission confirm its understanding of the additional testimony due dates which were outlined in the Commission's July 10, 2001, Order. The due dates and filing of testimony according to AT&T's understanding are as follows: **July 25** – BellSouth testimony; **August 13** – Commission Staff and Intervenor testimony (post-marked on this date); **August 20** – BellSouth rebuttal testimony; and **August 23** – Commission Staff and Intervenor surrebuttal testimony (post-marked on this date).

BELLSOUTH'S REQUEST FOR ELECTRONIC COPY OF TESTIMONY

In its letter dated July 17, 2001, BellSouth stated that due to the late receipt of some direct testimony from Intervenors previously, BellSouth was only able to file some rebuttal testimony in response to this direct testimony. BellSouth noted that it intended to send to all parties an electronic courtesy copy of its direct testimony which would be filed on July 25, 2001, pursuant to Commission Order Number 2001-647. BellSouth requests that the Commission direct all parties to file a courtesy electronic copy of any testimony filed on August 13, 2001. According to BellSouth, the reason for this request is to avoid possible delay in receipt of other parties' testimony as a consequence of using U.S. Mail only. Finally, BellSouth suggested that an email address that may be used by the parties is nyla.laney@bellsouth.com.

FINDINGS OF FACT

1. AT&T filed a Motion for Clarification of the Commission's Order Number 2001-647 regarding the scope of the hearings beginning on July 23, 2001, and August 27, 2001. Additionally, AT&T requested clarification of the additional testimony due dates and filing procedure outlined in Commission Order Number 2001-647.

2. BellSouth requests that the Commission direct all parties to file a courtesy electronic copy of any testimony filed with the Commission on August 13, 2001.

3. AT&T's Motion for Clarification should be granted so as to eliminate any confusion regarding the scope of the proceedings beginning on July 23, 2001, and August 27, 2001. Moreover, clarification of the additional due dates for filing testimony is warranted.

4. To ensure that BellSouth is allotted a sufficient amount of time to respond to testimony filed by other parties on August 13, 2001, BellSouth's request for all parties to file a courtesy electronic copy with BellSouth of any testimony filed with the Commission on August 13, 2001, should also be granted.

DISCUSSION

1. AT&T's Motion for Clarification is granted. Beginning on July 23, 2001, BellSouth shall present its entire direct case. BellSouth's direct case consists of its direct testimony filed on May 16, 2001, and its rebuttal testimony filed on July 16, 2001. BellSouth witness Al Varner shall be presented last. Any BellSouth witnesses who do not testify during the week of July 23, 2001, shall testify beginning August 23, 2001. After BellSouth completes its direct case, Intervenor will present their testimony

responding to BellSouth's direct case. The Commission Staff will present their testimony responding to BellSouth's direct case after the Intervenors complete their cases.

2. After BellSouth, the Intervenors, and the Commission Staff present their direct and responsive testimony, additional issues which will be addressed during the August proceeding will be limited to actual April and May South Carolina Performance Data and differences between Georgia and Florida Third Party Testing.

3. Regarding the additional testimony and exhibits due dates which are mentioned in Commission Order Number 2001-647, BellSouth shall prefile its testimony and exhibits on or before **July 25, 2001**. (Material may be post-marked on this date.) Additionally, the Commission Staff and Intervenors shall prefile testimony and exhibits on or before **August 13, 2001**. (Material may be post-marked on this date.) Also, any rebuttal testimony and exhibits shall be prefiled on or before **August 20, 2001**, (Material must be in the offices of the Commission and in the hands of the parties on this date), and any surrebuttal testimony and exhibits shall be prefiled on or before **August 23, 2001**. (Material must be in the offices of the Commission and in the hands of the parties on this date.)

4. BellSouth's Request that all parties file a courtesy electronic copy of any testimony filed with the Commission on August 13, 2001, is hereby granted. A courtesy electronic copy of all testimony filed by the Commission Staff and other parties on August 13, 2001, shall be mailed to BellSouth electronically on August 13, 2001.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:

Chairman

ATTEST:

Executive Director

(SEAL)